REMARKS

Claim Rejections – 35 USC § 102

Claims 1-13, 15-25, 27-28, 30-32, 34, and 37 have been rejected under 35 U.S.C. 102(e) as being anticipated by Luciano (U.S. Patent No. 2002/0111210). Applicant submits these claims are novel over Luciano for the following reasons.

Claims 1 and 12

Applicant has amended these independent system claims to recite additional features of the registration form. Namely, the registration form in the amended claims is a type of registration form that includes one or more open fields <u>labeled to identify requested information</u> and <u>configured to accept player information including the individual's name</u>. This is in keeping with the common usage of the term "registration form." For example, Merriam-Webster's Dictionary defines the term "form" as a "printed or typed document with open fields for insertion of required or requested information <tax forms>."

To briefly reiterate, in the claimed invention a player's wagering information is collected anonymously by storing his or her wagering information associated with a unique identifier of his or her RF transponder. The individual does not provide any player information for this wagering information to be anonymously collected. At a later time, the player may fill in the registration form with his or her player information. In the amended claims, the registration form collects non-anonymous personal identification in the form of an individual's name. This player information is then associated with the previously collected anonymous wagering information using the registration form's transponder identifier. Thereafter, wagering information may be tracked non-anonymously.

The claimed registration form includes one or more open fields <u>labeled to identify</u> <u>requested information</u> and <u>configured to collect</u> player information <u>including an individual's</u> <u>name</u>. Similar to a typical form, the claimed registration form thus allows player information to be inserted appropriately into the one or more open fields according to their labels.

Luciano fails to teach the claimed registration form. Luciano is directed to a "system and method for using anonymous player identification in tracking and promoting game use in a casino" (Luciano ¶¶ 15, 117-118; Abstract). This is in contrast to the claimed invention, which claims a system and method that tracks <u>both</u> anonymous <u>and</u> non-anonymous player activity. Applicant therefore asserts that the claimed invention provides the advantages of anonymous tracking provided by Luciano (e.g., tracking and rewarding players that wish to remain anonymous), <u>and</u> advantages of non-anonymous tracking through its claimed registration form (among other things).

The claimed registration form is required in order for the claimed invention to perform non-anonymous tracking of player activity. Therefore, as will be detailed in the following, since Luciano is directed to anonymous tracking, Luciano does not include an element similar or analogous to the claimed registration form, which is configured and used for the purpose of non-anonymous tracking (as will be further described in the following). Indeed, such a registration form in Luciano would run counter to the explicit purpose of Luciano.

In the Office Action, the Examiner has kindly identified the interpretation of the term "registration form" as any vehicle for receiving player information. Applicant has amended the claims to claim a registration form having one or more open fields that are labeled to identify requested player information and to accept player information. Thus, the claimed registration form is no longer <u>any</u> vehicle for receiving player information, but must be a form having one or

more open fields that are labeled to request and accept player information. As found in the system claims, the claimed open fields are labeled to request the desired item(s) of player information (e.g., first name, last name) so that appropriate player information may be inserted into the appropriate open field.

Namely, the registration form as claimed is configured to accept player information including an individual's name. This is required for the claimed invention to perform non-anonymous tracking since it allows the individual's name to be associated with previously tracked wagering information. The claimed registration form is labeled to request the individual's name as well.

Luciano does not disclose collecting player information including an individual's name. This is because Luciano is directed to anonymous tracking (Luciano ¶¶ 15; 117-118). In fact, Luciano explicitly states that its system and method is not for a traditional player (that provides personal information to receive a casino player ID), but is for a non-traditional player who wishes to keep track of game states over time but does not want to be personally identified to a casino (Luciano ¶ 118).

A registration form configured to collect player information including an individual's name would therefore run entirely contrary to Luciano's express purpose. An individual's name is non-anonymous personal identification information and, if provided, could easily be used by a casino to personally identify the specific individual. Luciano's disclosure supports this fact. As can be seen, Claims 102 and 105 of Luciano explicitly claim that its APID has no correlation or association with a player's name (Luciano Claims 102, 105).

Moreover, to read Luciano as teaching a registration form configured to collect player information including an individual's name would cause Luciano not to function as expressly

intended by its inventor. If such a teaching of player information <u>including an individual's name</u> were found in Luciano, association of such player information to the individual's previously tracked activity would result in non-anonymous player tracking. Again, this would be entirely contrary to Luciano's specification and claim language (Luciano ¶¶ 15, 117-118; Claims 102, 105).

In addition, Applicant asserts that since Luciano is directed to a single type of player tracking, namely anonymous player tracking, Luciano can not be read to teach two types of tracking, namely anonymous and non-anonymous player tracking. This is especially so where, as here, non-anonymous tracking occurs after a particular point in the tracking process (i.e., after an individual's name is received and associated with previous tracking information) and requires specific elements (i.e., a registration from configured to collect non-anonymous personal identification information, among other things) to occur. For the above reasons, Luciano does not teach a registration form configured to collect player information including an individual's name, as is claimed.

Applicant notes that the claimed registration form further includes a transponder identifier in addition to the one or more open fields and labels requesting and configured to collect player information. The transponder identifier identifies an individual's RF transponder by which his or her wagering information is tracked anonymously. The transponder identifier is required to form the association or link between an individual's player information (on the registration form) and his or her previous anonymous wagering information. The claimed registration form comprising a transponder identifier thus associates personally identifying information to anonymous wagering information.

As cited in the Office Action, Luciano discloses in paragraph 151 that a second APID may be linked to a first APID to link the second APID's tracking information to the first APID. However, this does not teach the claimed registration form because neither the first nor the second APID have non-anonymous personal identification information (such as the claimed player information including an individual's name) that identifies a particular individual non-anonymously. As claimed, the registration form's transponder identifier associates non-anonymous personal identification information in the form of an individual's name to a particular RF transponder. The linking of a first and second APID together does not teach this because the APIDs do not contain non-anonymous personal identification information and thus merely link anonymous tracking information to one of the two APIDs (anonymous player IDs).

Lastly, Luciano also does not disclose the claimed registration form having the combination of one or more open fields <u>labeled to identify requested information and configured to accept</u> player information, and <u>a transponder identifier</u>. Luciano teaches use of an ITM (individually transportable media) which is media that stores an APID (anonymous player identifier) or an APID and game save data (Luciano ¶ 122). Though Luciano states that an ITM may be various types of media, Luciano does not disclose any type of media having one or more open fields labeled to request and configured to accept player information.

Instead, Luciano's disclosure is directed to electronic media, such as electronic tokens, disks, tags, or fobs (Luciano ¶ 123) that utilize an electronic memory or storage device to store an APID. Such media does not comprise one or more open fields labeled to request and configured to accept player information. Rather, such media utilizes electronic circuitry to store information in microscopic form. For these reasons, Luciano does not teach the claimed registration form.

For the above reasons, Applicant respectfully asserts that Claims 1 and 12 are both novel and inventive over Luciano.

Claims 20, 30, 34, and 37

Applicant has amended these independent method claims such that they recite the step of receiving player information including an individual's name at one or more open fields of a registration form according to one or more labels of the open fields. In addition, these claims have been amended to include the step of associating the player information including the individual's name with previously collected anonymous tracking information/activity. For the reasons argued above with regard to Claims 1 and 12, Applicant submits that Claims 20, 30, 34, and 37 are also not taught by Luciano.

More specifically, Luciano does not teach receiving player information including an individual's name. As set out above, this is because Luciano is directed to anonymous player tracking (Luciano ¶¶ 15; 117-118; Abstract). Collecting non-anonymous personal identification information, such as an individual's name, would destroy Luciano's ability to anonymously track player activity (See Luciano ¶¶117-118; Claims 102 & 105). As stated, Applicant has amended the claims to recite personal information including an individual's name. Luciano explicitly states that its APIDs have not correlation or association with a player's name (Luciano, Claims 102; 105).

In addition, since the association of non-anonymous personal identification information would destroy Luciano's ability to track players anonymously, Luciano also does not teach associating personal information including an individual's name with previously collected

tracking information or activity, as is claimed. As set out above, Luciano in paragraph 151 discusses linking tracking information from one APID to another APID, but this does not teach associating or linking non-anonymous personal identification information (i.e., player information including an individual's name) to anonymous tracking information. Luciano's APIDs are prohibited from including an individual's name or any other non-anonymous personal identification information (Luciano, ¶¶ 117-118; Claims 102 & 105) since they serve <u>only</u> to identify players anonymously. As such, Luciano's linking of tracking information from one APID to another does not teach association of player information including an individual's name to anonymous tracking information/activity as claimed.

For the above reasons, Applicant respectfully asserts that Claims 20, 30, 34, and 37 are both novel and inventive over Luciano.

<u>Claims 2-3, 5-11, 13, 15-19, 21-23, 25-29, 31-33, and 36</u>

In that the prior art, at the very least, fails to disclose the limitations of independent Claims 1, 12, 20, 30, 34, and 37, Applicant respectfully asserts that Claims 2-3, 5-11, 13, 15-19, 21-23, 25-29, 31-33, and 36, which depend on Claims 1, 12, 20, 30, 34, and 37, are allowable.
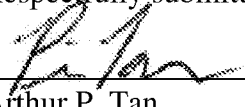
SUMMARY

Applicant has amended Claims 1, 12, 20, 30, 34, and 37. For the above reasons,

Applicant respectfully asserts that the pending Claims 1-13, 15-34, and 36-37 are now in a

condition for allowance and requests notice as to the same.

Respectfully submitted,

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